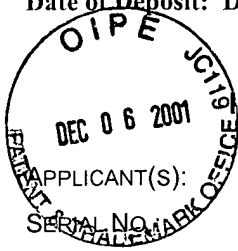


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

APPLICANT(S): Warne, et al.
SERIAL NO. 09/971,813
SUBMITTED: October 5, 2001
FOR: Formulations for IL-11

EXAMINER: Not Yet Assigned
ART UNIT: Not Yet Assigned

Assistant Commissioner for Patents
Washington, D.C. 20231
Office of Petitions

Petition to Accord Filing Date

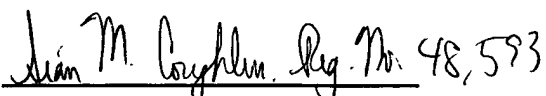
This petition is in response to the Notice of Incomplete Nonprovisional Application ("Notice") mailed November 8, 2001 for the above-referenced matter. The Notice states that a filing date was not accorded to the application because the application was submitted without drawings. The application was filed with the United States and Patent Office on October 5, 2001. Applicants hereby petition under 37 CFR 1.53(e) that application be given a filing date of October 5, 2001 because the omitted drawings are not necessary under 35 USC 113 (first sentence) to grant the filing date. In particular, drawings are not necessary because the subject matter of the drawings is described in the detailed description of the application submitted on October 5, 2001. A preliminary amendment enclosing a substitute specification that deletes references to the drawings is enclosed.

An appropriate fee for submitting this petition is enclosed. Applicants request a refund of the petition fee in the event the Office of Petition finds the application is entitled to the October 5, 2001 filing date. The Commissioner is hereby authorized to charge payment of any fees

Applicant: Warne, et al.
U.S.S.N. 09/971,813

required in connection with the papers transmitted herewith, or credit any overpayment of same,
to Deposit Account No. 50-0311 (Reference No. 22058-531).

Respectfully submitted,


for David E. Johnson, Reg. No. 41,874
Ivor R. Elrifi, Reg. No. 39,529
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